

## GUNSTON HALL EXTENSION

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OCTOBER 31, 1997.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. YOUNG of Alaska, from the Committee on Resources,  
submitted the following

### REPORT

[To accompany S. 423]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the Act (S. 423) to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason, having considered the same, report favorably thereon without amendment and recommend that the Act do pass.

#### PURPOSE OF THE BILL

The purpose of S. 423 is to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial honoring George Mason.

#### BACKGROUND AND NEED FOR LEGISLATION

In 1990, Congress enacted Public Law 101-358, which authorized the Board of Regents of Gunston Hall to establish a memorial to George Mason, a Virginia patriot, and author of Virginia's 1776 "Declaration of Rights," and an active participant in the Constitutional Convention in Philadelphia, Pennsylvania. Gunston Hall is the ancestral home of George Mason, located in Fairfax County, Virginia, and the Board of Regents is the non-profit organization responsible for its care.

George Mason was a contemporary of George Washington, Thomas Jefferson and James Madison, and is widely recognized for his role in events surrounding the drafting of the U. S. Constitution and its first ten amendments, the Bill of Rights. However, he died in 1792, decades before his colleagues, and for this reason his accomplishments, and basic philosophy that a national government

should not come at the cost of individual rights, have been overlooked. It is significant that George Mason did not sign the Constitution because it did not contain the Bill of Rights in the fundamental document. James Madison's drafting of the Bill of Rights drew heavily from Mason's influence, and ultimately validated the importance of George Mason's participation in the founding of the American democratic form of government.

In 1992, the Secretary of the Interior approved a proposal to locate the memorial in the "monumental core area" within the District of Columbia defined by the Commemorative Works Act, and Congress ratified the location in Public Law 102-277. The memorial, which will be known as the "George Mason Memorial Garden," will be located between Ohio Drive and the George Mason Memorial Bridge (a span of the 14th Street Bridge), within sight of the Jefferson Memorial and Franklin D. Roosevelt Memorial. The legislative authority for establishment of this memorial expired on August 10, 1997.

Section 8 of the Commemorative Works Act (Public Law 99-652) requires the Secretary of the Interior, prior to issuing a construction permit for a memorial or monument, to make a determination that: (1) the location and design of the memorial have been approved by the Secretary, the National Capital Planning Commission, and the Commission on Fine Arts; and (2) that the organization authorized to construct the memorial has raised the necessary funds to complete construction, along with an additional 10 percent to be used for a maintenance endowment fund.

Section 10(b) of the Commemorative Works Act provides that the legislative authority to construct a memorial shall expire seven years after the date the memorial was authorized. S. 423 would extend the legislative authority for the George Mason Memorial Garden for an additional three years, through August 10, 2000. The Board of Regents of Gunston Hall is committed to raising the approximately \$1 million necessary to complete the memorial. The National Park Service will maintain the memorial upon completion, although the maintenance costs will be paid by the maintenance endowment fund.

#### COMMITTEE ACTION

S. 423 was introduced on March 11, 1997, by Senators Charles Robb (D-VA) and John Warner (R-VA). The Senate passed S. 423 on July 11, 1997, by unanimous consent. In the House of Representatives, the bill was referred to the Committee on Resources and within the Committee to the Subcommittee on National Parks and Public Lands. On October 7, 1997, the Subcommittee held a hearing on S. 423, where the Administration testified in support of the extension of the legislative authority for the George Mason Memorial Garden. Immediately following the hearing on S. 423, at the request of the Ranking Minority Member, the Subcommittee met to mark up S. 423. No amendment was offered, and the bill was then ordered favorably reported to the Full Committee by voice vote. On October 22, 1997, the Full Resources Committee met to consider S. 423. No amendment was offered. The bill was then ordered favorably reported to the House of Representatives, by voice vote.

## COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of Rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

## CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact S. 423.

## COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out S. 423. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

## COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of Rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, S. 423 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of Rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of S. 423.

3. With respect to the requirement of clause 2(1)(3)(C) of Rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for S. 423 from the Director of the Congressional Budget Office.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, October 24, 1997.*

Hon. DON YOUNG,  
*Chairman, Committee on Resources, U.S. House of Representatives,  
Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 423, an act to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Heis.

Sincerely,

JAMES L. BLUM  
(for June E. O'Neill, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

*S. 423—An act to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason*

CBO estimates that enacting S. 423 would have no effect on the federal budget. Because the legislation would not affect direct spending or receipts, pay-as-you-go procedures would not apply. S. 423 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 and would have no impact on the budgets of state, local, or tribal governments.

S. 423 would extend until August 10, 2000, the authority to establish a memorial to George Mason, the author of the Virginia Declaration of Rights. The extension would give the Board of Regents of Gunston Hall (the site's sponsor) an additional three years to obtain the necessary financing for the project. Under current law, authority to construct the site expired on August 10, 1997. Because the prospective memorial is to be established with nonfederal funds, there would be no impact on the federal budget from extending the authority to establish it.

On June 19, 1997, CBO prepared an estimate for S. 423 as ordered reported by the Senate Committee on Energy and Natural Resources on June 11, 1997. The two versions of S. 423 are identical, as are the estimates.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

S. 423 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, S. 423 would make no changes in existing law.

